

# FINAL BILL REPORT

## ESHB 1904

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Synopsis as Enacted

**Brief Description:** Revising standards for reporting incidents involving harm to vulnerable adults.

**Sponsors:** By House Committee on Children & Family Services (originally sponsored by Representatives O'Brien, Boldt, Kagi, Roach and Miloscia).

**House Committee on Children & Family Services**  
**Senate Committee on Health & Long-Term Care**

### **Background:**

When there is reasonable cause to believe that abandonment, abuse, financial exploitation, or neglect of a vulnerable adult has occurred, mandated reporters must immediately report to the Department of Social and Health Services (DSHS). If there is reason to suspect that sexual or physical assault has occurred, mandated reporters must immediately report to the appropriate law enforcement agency and to the DSHS.

"Mandated reporter" is defined as: an employee of the DSHS; a law enforcement officer; a social worker; professional school personnel; an individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; a county coroner or medical examiner; a Christian Science practitioner; or a health care provider.

"Vulnerable adult" includes a person who:

- Is 60 years of age or older and who has the functional, mental, or physical inability to care for himself or herself;
- Is found incapacitated;
- Has a developmental disability;
- Has been admitted to any facility, including boarding homes, nursing homes, adult family homes, soldiers' homes, and residential habilitation centers;
- Is receiving services from a licensed home health, hospice, or home care agency; or
- Is receiving services from an individual provider under contract with the DSHS to provide services in the home.

### **Summary:**

When there is reason to suspect that physical assault has occurred or there is reasonable cause to believe that an act has caused fear of imminent harm:

- mandated reporters must immediately report to the DSHS; and
- mandated reporters must immediately report to the appropriate law enforcement agency, unless the provided exclusions apply.

A mandated reporter is not required to report to a law enforcement agency, unless requested by the injured vulnerable adult or his or her legal representative or family member, an incident of physical assault between vulnerable adults that causes minor bodily injury and does not require more than basic first aid, unless:

- the injury appears on the back, face, head, neck, chest, breasts, groin, inner thigh, buttock, genital, or anal area;
- there is a fracture;
- there is a pattern of physical assault between the same vulnerable adults or involving the same vulnerable adults; or
- there is an attempt to choke a vulnerable adult.

**Votes on Final Passage:**

House 95 2

Senate 49 0 (Senate amended)

House 97 0 (House concurred)

**Effective:** May 12, 2003